



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Northwest Region
7600 Sand Point Way N.E., Bldg. 1
Seattle, WA 98115

Refer to:
2001/01415

May 17, 2004

Ronald J. Eggers
U.S. Bureau of Reclamation
Pacific Northwest Region
Lower Columbia Area Office
825 NE Multnomah Street, Suite 1110
Portland, Oregon 97232-2135

Re: Amendment of EFH Conservation Recommendations for the Biological Opinion and Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Consultation on Bureau of Reclamation Ongoing Operation of the Umatilla Project and the Umatilla Basin Project, Columbia River, Umatilla River, and McKay Creek, Oregon, Issued April 23, 2004

Dear Mr. Eggers:

On April 23, 2004, NOAA's National Marine Fisheries Service (NOAA Fisheries) transmitted our biological opinion and Magnuson-Stevens Fishery Conservation and Management Act (MSA) essential fish habitat (EFH) consultation on Bureau of Reclamation Ongoing Operation of the Umatilla Project and the Umatilla Basin Project, Columbia River, Umatilla River, and McKay Creek (refer to NOAA Fisheries No.: 2001/01415). Since then, staff of NOAA Fisheries and the Bureau of Reclamation (BOR) have specifically discussed the EFH conservation recommendations from the April 23, 2004, biological opinion and EFH consultation.

Based on this discussion, it became apparent that EFH conservation recommendations 1 and 2 refer to the incorrect terms and conditions from the incidental take statement. EFH conservation recommendation 1 reads:

1. Term and Condition 2.a. will minimize effects from low water depths in McKay Creek while water is being stored.

This letter changes EFH conservation recommendation 1 to the following:

1. Term and Condition 1.a. will minimize effects from low water depths in McKay Creek while water is being stored.



EFH conservation recommendation 2 reads:

2. Term and Condition 3.a. and b. will minimize injury to juveniles at diversion structures.

This letter changes EFH conservation recommendation 2 to the following:

2. Term and Condition 4.a. and b. will minimize injury to juveniles at diversion structures.

Therefore, EFH conservation recommendation 1 has been changed to refer to term and condition 1.a. instead of 2.a., and EFH conservation recommendation 2 has been changed to refer to term and condition 4.a. and b. instead of 3.a. and b., but EFH conservation recommendation 3 of the April 23, 2004, biological opinion and EFH consultation is unchanged and remains in effect. A copy of this correction letter will be posted with the April 23, 2004, biological opinion and EFH consultation on NOAA Fisheries' website. As described in the April 23, 2004, biological opinion and EFH consultation, 305(b)(4)(B) of the MSA requires that a Federal action agency must provide a detailed response in writing within 30 days of receiving an EFH conservation recommendation. Due to the inaccuracy of EFH conservation recommendations 1 and 2 in the April 23, 2004, biological opinion and EFH consultation, the detailed written response is due within 30 days of receiving this amendment letter.

We apologize for any inconvenience this oversight may have caused. If you have further questions, please do not hesitate to contact Scott Hoefer of my staff in the Eastern Oregon Habitat Branch of the Oregon State Habitat Office at 503.231.6938.

Sincerely,

for Michael Dehar

D. Robert Lohn
Regional Administrator